

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

By way of this Amendment, withdrawn claims 7-11 are cancelled without prejudice or disclaimer. Thus, the claims currently pending in this application are claims 1-6, 12-21 and 23-28. Claims 4-6 remain withdrawn from consideration as being directed to the non-elected species. Claim 1 is generic to the species encompassed by claims 4-6 and so it is appropriate to maintain dependent claims 4-6 in this application. Applicants respectfully request that upon allowance of claim 1, claims 4-6 be rejoined. Claims 2, 3, 12-21 and 23-28 are also readable on the elected species. Claims 1, 24 and 28 are the only independent claims.

The Office Action rejects claims 1-3, 12, 16-18, 23 and 28 under 35 U.S.C. §102(b) over U.S. Patent No. 6,001,068 to Uchino et al.; rejects 13-15 under 35 U.S.C. §103(a) over Uchino; and rejects claims 19-21 and 24-27 under 35 U.S.C. §103(a) over Uchino in view of U.S. Patent No. 5,769,796 to Palermo et al. These rejections are respectfully traversed.

Claims 1, 24 and 28 include, in combination with other claim features, a first wire and a second wire that are joined to each other by welding. Paragraph 6 of the Office Action characterizes X-ray contrast material 112, 66, 81 formed of a coil of wire of an X-ray opaque material such as AU or PT and wound on the distal end portion of wire A as corresponding to Applicants' claimed first wire. The Office Action also characterizes wire A, 61 as corresponding to Applicants' second wire. Neither of these characterizations are embraced by Applicants. As disclosed in Uchino in the paragraph beginning at line 15 of column 6, the coil of X-ray contrast material 112 is wound on the distal end portion of the first wire A and buried in the

coating 113. As described in the paragraph beginning at line 27 of column 12, the coil of X-ray contrast material 66 is attached to the distal end portion 61a of the first wire 61. Further, in the paragraph beginning at line 36 of column 15, Uchino discloses that the coil 81 is attached to the distal end portion of the first wire 61 by being secured by means of the head piece 82 and the proximal end of the coil 81 is fixed to the first wire 61. Nowhere does Uchino describe that the coils of X-ray contrast material 112, 66, 81 are welded to the wire A, 61. The Office Action fails to address the feature of the first and second wires being joined to each other by welding. The Office Action states that the discussion in lines 19-67 of column 7 of Uchino and the discussion in lines 16-22 of column 8 of Uchino refers to welding. However, these portions of the disclosure in Uchino discuss the method of connecting the wire A and the wire B. That is, those portions of the disclosure in Uchino do not state that the coil 112, 66, 81 is welded to the wire A. Therefore, claims 1 and 28 are distinguishable over Uchino.

In the event the Examiner continues to believe the rejection based on Uchino is appropriate, the Examiner is kindly asked to identify the portion of Uchino's disclosure describing that the coil 112, 66, 81 is welded to the wire A so that Applicants will know the basis for the rejection and be able to appropriately decide how to proceed with this application.

With respect to claim 24, the Office Action observes in paragraph 9 that Uchino discloses the claimed guide wire, except that it does not explicitly disclose configuring the guide wire with a spiral coil covering at least the distal end portion of the first wire wherein the welded portion between first and second wires is located on a distal side of the proximal end of the spiral coil. However, Uchino discloses coils 112, 66, 81. The Office Action states that it would have been obvious to one having

ordinary skill to modify the guide wire as taught by Uchino with the guide wire as taught by Palermo for the purpose of configuring the mechanical properties.

Applicants note that paragraph 9 of the Office Action provides insufficient guidance on how the Examiner proposes to modify Uchino. Specifically, it is unclear which portion of Palermo or element is being adapted for use in Uchino. If the Examiner, for purposes of discussion, proposes to include the inner coil 132 of Palermo, it is unclear how this would affect the mechanical properties such as flexibility and elastic modulus of a guide wire cited as the motivation to combine Uchino and Palermo. If the Examiner maintains the rejection based on the combination of Uchino and Palermo, clarification on the above issue is respectfully requested.

Figs. 5A and 5B of Palermo disclose inner coil 132. The combination of Uchino and Palermo would result in the inner coil 132 placed inside of the coils 112, 66, 81. Thus, the inner coil 132 would be inside of the coil identified by the Office Action as corresponding to Applicants' first wire. Claims 19 and 24 recite the spiral coil covering at least a distal end portion of said first wire. Thus, the combination of Uchino and Palermo does not disclose a spiral coil covering at least a distal end portion of a first wire in combination with the other claim features of Claims 19 and 24.

Uchino in combination with Palermo do not disclose or suggest a first wire and second wire joined to each other by welding and a welded portion comprising a fused layer formed with the first wire and the second wire. In paragraph 9, the Office Action characterizes solder joint 128 as being a welded portion between a first and a second wire. Ribbon 126 is characterized as the first wire and middle section 106 is characterized as the second wire. Palermo's disclosure of soldering a metallic ribbon to the distal end portion of the guide wire and the surrounding coil to form a

solder joint is not a disclosure of a welded portion comprising a fused layer formed by materials of the first and second wires as in claim 24. It is thus respectfully submitted that independent claim 24 in combination with the other claim features is distinguishable over a combination of the disclosures of Uchino and Palermo.

The remaining dependent claims are allowable for at least the reasons discussed above, as well as for the individual features they recite.

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application, or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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